

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Chase D. C.,

Civil No. 20-cv-1292 (ADM/TNL)

Plaintiff,

v.

ORDER

Kilolo Kijakazi, Acting Commissioner of
Social Security,

Defendant.

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated January 31, 2022 (ECF No. 24), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion for Summary Judgment (ECF No. 20) is **GRANTED IN PART** and **DENIED IN PART**.
2. The Commissioner's Motion for Summary Judgment (ECF No. 22) is **GRANTED IN PART** and **DENIED IN PART**.
3. The Commissioner's decision is **AFFIRMED** as to steps one through four and **VACATED** as to step five.
4. The matter is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with this opinion.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: February 16, 2022

s/Ann D. Montgomery
The Honorable Ann D. Montgomery
United States District Judge